

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

LG.PHILIPS LCD CO., LTD.,

Plaintiff/Counterclaim Defendant,

v.

TATUNG COMPANY;
TATUNG COMPANY OF AMERICA, INC.;
CHUNGHWA PICTURE TUBES, LTD.;
AND VIEWSONIC CORPORATION,

Defendants/Counterclaim Plaintiffs.

Civil Action No. 05-292 (JJF)

JOINT PROPOSED RULE 16 SCHEDULING ORDER

The parties having satisfied their obligations under Fed. R. Civ. P. 26(f), and the parties having agreed to an expedited schedule for pre-trial proceedings and trial, IT IS ORDERED that:

1. **Pre-Discovery Disclosures.** The parties will exchange by December 16, 2005, the information required by Fed. R. Civ. P. 26(a)(1) and D. Del. LR 16.2.

2. **Joinder of other Parties.** All motions to join other parties shall be filed on or before March 3, 2006.

3. **Discovery.**

(a) Exchange and completion of contention interrogatories, identification of fact witnesses and document production shall be commenced so as to be completed by February 3, 2006.

(b) Maximum of fifty (50) interrogatories, including contention interrogatories, for each side.

(c) Maximum of fifty (50) requests for admission by each side, excluding requests to authenticate documents.

(d) Maximum of four (4) individual fact depositions of each party may be taken, and no more than thirty-five (35) hours of Rule 30(b)(6) deposition testimony of each party. This restriction does not apply to third party or expert depositions. Depositions may commence on or after February 6, 2006. Fact depositions and Rule 30(b)(6) depositions must be completed by March 17, 2006.

(e) Reports from retained experts required by Fed. R. Civ. P. 26(a)(2) relating to each parties burden of proof are due by March 31, 2006; all rebuttal expert reports are due by April 14, 2006.

(f) Any party desiring to depose an expert witness shall notice and complete said deposition no later than April 28, 2006, unless otherwise agreed in writing by the parties or ordered by the Court.

4. Discovery Disputes.

(a) A party seeking discovery which the opposing party refuses to provide shall file a motion (no brief) pursuant to Rule 37 of the Federal Rules of Civil Procedure and Local Rule 37.1. Said motion shall not exceed a total of four (4) pages and must specify that the filing is pursuant to the Discovery Dispute procedures provided in this paragraph. An Answer to the Rule 37 motion, not to exceed four (4) pages, shall be filed within five (5) days of service of the motion. No reply is permitted.

(b) All papers shall set forth in a plain and concise manner the issue(s) in dispute, the party's position on the issue(s), and the reasons for the party's position.

(c) Upon receipt of the Answer, the movant shall notify Chambers by e-mail at jjf_civil@ded.uscourts.gov that the dispute is ready for decision.

(d) Upon receipt of the movant's e-mail, the Court will determine whether a conference is necessary and advise the parties accordingly.

(e) There is no limit on the number of Rule 37 motions a party may file, unless otherwise ordered by the Court.

5. **Amendment of the Pleadings.** All motions to amend the pleadings shall be filed on or before March 3, 2006.

6. **Case Dispositive Motions.** Dispositive motion briefing to be completed no later than June 14, 2006.

7. **Markman.** A Markman Hearing will be held on March 6, 2006. Briefing on the claim construction issues shall be completed on March 1, 2006. The Court, after reviewing the briefing, will allocate time to the parties for the hearing.

8. **Applications by Motion.**

(a) Any applications to the Court shall be by written motion filed with the Clerk of the Court in compliance with the Federal Rules of Civil Procedure and the Local Rules of Civil Practice for the United States District Court for the District of Delaware (Amended Effective January 1, 1995). Any non-dispositive motion shall contain the statement required by D. Del. LR 7.1.1. Parties may file stipulated and unopposed Orders with the Clerk of the Court for the Court's review and signing. The Court will not consider applications and requests submitted by letter or in a form other than a motion.

(b) No facsimile transmissions will be accepted.

(c) No telephone calls shall be made to Chambers.

(d) Any party with a true emergency matter requiring the assistance of the Court shall e-mail Chambers at: jjf_civil@ded.uscourts.gov. The e-mail shall provide a short statement describing the emergency.

9. **Pretrial Conference.** A Pretrial Conference will be held on June 16, 2006, in Courtroom No. 4B on the 4th Floor, Boggs Federal Building, Wilmington, Delaware. The Federal Rules of Civil Procedure and Rule 16.4 of the Local Rules of Civil Practice for the United States District Court for the District of Delaware (Amended Effective January 1, 1995) shall govern the Pretrial Conference.

10. **Trial.** Trial will commence on July 17, 2006, in Courtroom 4B on the 4th Floor, Boggs Federal Building, Wilmington, Delaware.

DATE

UNITED STATES DISTRICT JUDGE